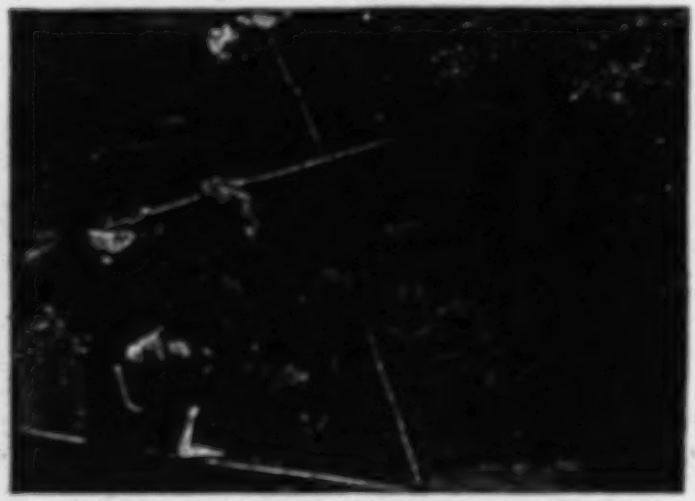
paragraph beginning on page 97 and continued on page 98 is not translated.] 018

[98] On the whole, we note the following special ethnic characteristics. 241

1) Uniformity in the cultivation of manioc, the staple food of all of these peoples.

2) Undertaking the cultivation of maize under the influence 241 177



[225]

Fig. 58. Weir Fishing at a Dam among the Mosengere. Closing the Screens and Capturing the Trapped Fish.

of the ephemeral encouragement of Bula Matari [Ed., the European administration] among the peoples of the Congo-Kasai, and rice cultivation under Arab influence in the region of Bena Dibele-Kole. Contrary to what we noted concerning maize, the innovation introduced by the Arabs has become firmly implanted in the life of these natives, and the cultivation of rice will probably eliminate manioc eventually.

3) Formation of a zone of sugar-cane cultivation, the development of which is in inverse proportion to the extent of the palm groves.

4) Complete absence of animal husbandry of any importance. 231

5) Uniformity in the methods of communal hunting and the gradual development of attendant religious customs and practices 224 174
from east to west, corresponding to a decline in hunting by individuals with traditional weapons. This fact leads us to suppose

1: Maes--73 E-5 (1913-1914) 1924 FO32 Mongo FO32

Ntomba

224 174 that hunting was practiced as a rule in the ancestral society without special recourse to any protective force or spirit and that primitive man relied wholly on his strength, skill, courage, and necessity. The small yield and the accidents involved in this dangerous sport probably impelled the primitives to go in groups, the first step to communal hunting. In the course of these forays, accidents must have occurred, some men being hurt and others spared. For no apparent cause, one hunt was successful and another failed. Not being able to understand the reason for these occurrence, the natives naturally ascribed their origin to spirits, from which arose the desire to gain the favor of these spirits. One can thus explain the magico-religious beliefs and practices, whose intensity, [99] elaboration, and spread are in direct proportion to the disappearance of individual hunting.

224 174 6) The existence among all the peoples of a few common fishing customs, so little developed unquestionably fish could have played only a minor role in the diet of the ancestral community. This community, therefore, must have lived in an environment ill-suited to the development of a fishing industry or too poor in resources of this kind to invite man's efforts in this direction in his struggle for existence.

7) In their migrations and displacement, certain groups settled in more favorable regions, and the families among them who settled in the immediate vicinity of well-stocked rivers and marshes adopted new fishing customs while partially giving up the hunting customs. [Ed., the remainder of the chapter, through page 100, is not translated.]

060 [101] Chapter 4

Food

Making fire. -- Extraction of salt. -- Preparation of food. -- Manioc. -- Maize. -- Bananas. -- Meat. -- Fish. -- Peppers. -- Extraction of palm oil. -- Beverages. -- Water. -- Malafu. -- Masanga. -- Pombe. -- Stimulants. -- Hemp. -- Kola nuts. -- Tobacco.

304 178 tattoos are very much in vogue at the present time. We concede that the custom of tattooing is now at its height in the region we visited.

It is probable that this custom will not long survive our penetration.

304 174 It would be very difficult to determine the approximate time of its introduction into the life of these natives. We believe, however, that we may regard racial tattoos as one of the ethnic characteristics peculiar to the contemporary culture and not as a specific custom of the ancestral civilization, transmitted from generation to generation and preserved or even elaborated by

Fig. 126. Return from the Fields.

each one. The clearest proof of this fact comes from our observations of the present generation of old men. As a rule they have no racial tattoos. The old women who have no [203] trace of ornamental or ethnic tattooing are rarer. Ornamental incisions are more often lacking than tribal scars, and we encountered only rare cases where the sexual tattoos were lacking.

304 174

These facts prove that when the elders of the present generation were young, tattooing, if it was customary, was practiced with some regularity only by the women and originally had an essentially familial character in this region.

304 152

A woman bears the pain of the incisions without showing the least sign of suffering, without a complaint or a sigh. She even submits to this custom with some joy, mixed with a bit of pride, knowing that she will be held in higher esteem by the man.

This point, in our opinion, is much more important to the women among primitive peoples than one would generally suppose. It appears to us to be the leitmotiv of the major part of the variations that we observed in the grooming of the native women.

The anxiety to please, the wishes of the man, these lead the woman to seek constantly the means that would enable her to be tattooed as soon and as often as possible. This natural desire and inner necessity are the reasons why the woman stoically bears all the torture, all the suffering. In primitive life the sexual side naturally is dominant. In this way we can explain, and in a way understand, why tattooing in the beginning was the exclusive appanage of the woman in this region and how she came to decorate the sexual organ and its immediate vicinity in order subsequently to display it; covering nearly all the body with decorations came about, perhaps, simply through coquetry.

C. An attempt to explain the modern changes. The facts themselves as much as a knowledge of human nature, together with the lenient attitude of parents and the lack of sanctions (the last two points are relevant only to relations between adults), are in direct contradiction to the statements of the natives. Should these not therefore be explained as exaggerations, stemming from a desire for national glory and a resentment of the situation created by colonization? The natives whose strange assertions I have cited are elderly and serious; they demonstrate all the qualities of truthful witnesses. But are they not -- perhaps unconsciously -- laudatores temporis acti? I thought so for a long time and never allowed their statements to carry any weight. I have discussed this question over and over again, not with one or two natives, but with dozens of the most serious and sincere people, under various circumstances and in regions far removed from one another. Yet all supported the same argument, and I could never make my point of view prevail. I always received the same reply: "You Whites are not willing to believe us when we tell you what we know better than you, what is the pure truth. You are so involved in your own point of view!" Finally, before so much formal testimony -- uniform, unchanging, repeated ad nauseum in such varied circumstances as to individuals, times, and places -- my attachment to my own idea began, with some regret, to falter.

But how is it possible to resolve the contradiction between a rather broad liberty and the practice of chastity? And above all how can less than fifty years have sufficed to transform any attachment to virginity into licentiousness? The difficulty presents itself for relations between adults, but it is especially great with respect to reprehensible contacts between nonadults, because of the terrible sanction that we have described above.

The first objection may be partially met if we take into account the habit of "the fear of men," which is acquired and maintained through the severe prohibition against sexual relations before physical maturity and the terrible punishment with which the transgressor is threatened. [86]

The second objection on the other hand is much more serious. It is the one which above all has always kept me from accepting the

174 thesis of the natives. This is how it is refuted by those who contradict
856 me: "When the first black soldiers and their assistants, archers, and
[175] spear carriers were sent by the Whites to conquer us, they committed all sorts of atrocities and permitted themselves all the licentious acts that occurred to them. Among other things they took advantage of young girls, even those who were not nubile. They required immature girls to engage in sexual intercourse. They even went so far as to force people to commit incest, uniting mother and son, father and daughter, pointing a gun at their breasts. (1)

> 1. The fact that the soldiers required that immature girls be delivered over to them, because they were afraid of venereal diseases, is still notorious.

These accusations are so shocking and repugnant that one refuses to admit their veracity. Yet it is possible that they correspond to reality. For one thing, the informants are entirely reliable. For another, the account is internally consistent. As a matter of fact, scenes of the sort described seemed to have occurred at the beginning of almost all colonizations. Their authors were usually the natives of other regions rather than Whites (in our area Europeans were almost entirely absent from the first contacts between the inhabitants and the new power). By the nature of things anything can be expected at such a time. For occupations are carried out under martial law. And everyone is aware that war unleashes the human beast which -- as even contemporary history abundantly shows -- is capable of worse and more repugnant excesses.

It is possible to object to all this for, if the assertions of the natives are true, the events they describe did not give rise to a practice of incest and, consequently, need not have given rise to the far-reaching changes which we have observed. [87] But the two situations are entirely different. For licentious behavior between single people is more or less consistent with the passionate tendencies of human nature, which were mostly checked by the fear of a sanction -- a terrible sanction, it is true, but it was shown in fact to be nonexistent. Incest,

on the other hand, is extremely repugnant by nature, especially for the Nkundó. It is a vice which comes about only as a result of special beliefs or through a fundamental degeneration of sexuality.

The breaking up of the framework of traditional organization may furnish a partial explanation in this realm as in many others. In the case of sexual relations between single adults, it might even be deemed sufficient. As much may be said about greed, vanity, the desire for ostentation and display. These are very natural sentiments in a woman, and they were greatly stimulated by the dazzling riches imported from Europe. But these facts are not sufficient in themselves to account for everything. They are especially and entirely inadequate in explaining the considerable changes in the relations between immature children, and we are thus forced to accept the explanation given by serious natives.

3. Children born out of wedlock

Among the Nkundó, giving birth to a child outside of wedlock has never from time immemorial been considered a grave misdemeanor. It is not considered criminal, as ethnographers say it is among many other African peoples.

Furthermore, this attitude logically follows from the liberty permitted to adolescents, as described above. Neither the woman nor her lover are harassed or punished as a result. On the contrary, the grandparents joyfully receive the child, who adds to the size, power, and wealth of the clan. [88] For an illegitimate child (entombó) (1)

1. Such a child is also known as bona ôa wand, "child of the sunlight," or bona ôa bombamboka, "child of the highway" or "of a girl of the streets." Among the Bombomba the term bokolankólo is also heard.

does not belong to its natural father. It is incorporated into the mother's family. It is said that he is born without a father. His

835 allied district of the Bombomba). The same is true of the Bontole.
614 Elãngã and Imomo, together with Eleke (Lokongo), comprise the posterity of the son of Ambã, who was the sister of Iloko, Eãngã, and Bokungã, the latter being the ancestor of the Bontole. The three groups do not intermarry. Between the Elãngã and the Imomo, lonkâna relations are also not permitted, but they are practiced with the Bontole. Note that the term lonkâna is never applied to relations between truly separate clans, that is, between exogamous entities.

To define the precise limits of this practice we would have to examine each kin group separately, and this would lead us too far afield.

It should also be noted that lonkâna may be limited to an isolated act, or it can become an intermittent concubinage. The name of the practice does not change when it involves a married woman who is visiting her family. Sanctions against adultery are applicable to such a case, however, as to all others. (1) Although

1. See Chapter VI, Article VIII.

the relatives of the woman are more lenient than if the adulterous relations had occurred with a different lover, the husband whose rights have been infringed on makes no such distinction.

835 The custom of lonkâna seems rather strange. After all, if
614 sexual relations between these clans are not reprehensible, why is
174 marriage between them forbidden? This is an apparent contradiction which merits attention. Should not this practice be viewed as a relaxation of the law of exogamy? In past times all sexual relations between members of the clans under discussion would have been forbidden, a very natural phenomenon when the families originated. [99] Later the young people would have succumbed to the temptation, and little by little infractions would even have multiplied. For as the clans became increasingly extended, the temptations became more and more numerous and the rule, now detached from its natural significance because very distant kinship was involved, came to seem more or less arbitrary to the interested parties. It was supported by no sanction or

835 614 174

fear. (1) Thus the very number of violations would have gradually

1. Actually, no sanction is provided against marriages within an exogamous entity; everything lies in the opposition of parents and elders and in a habit which is almost innate.

made the practice customary. Powerless to stop it, the persons in authority, guardians of traditional morality, would have contented themselves with channeling the development and restricting it to a minimum by being lenient on the subject of extramarital relations in order to save the principle of exogamy. This explanatory hypothesis can find a little confirmation in the fact that at the very beginning of colonization when European influence was not felt as yet, there were isolated and very rare cases of marriage in opposition to the law of exogamy between members of groups which were only very distantly related but already practiced lonkâna. The exception then became the rule, and from then on the two groupings in question intermarried regularly and without hindrance, while other families remained under the ancient law. Thus there is the known case of Boyela village (Bakɨ̂ala), which includes the Bokambɨ̂, Bembakɨ̂, Besɨ̂lɨ̂, and Bekɔ̂lama (extinct), all descendants of Ngonde and one wife; his union with another spouse gave rise to the Lilekɛ̂ and the Likongo, to whom Bongilɨ̂, a group related through marriage (likilo), is attached. These two groups of families could not intermarry, but they did engage in lonkâna. Around the time of the first arrival of the Whites, a member of the Bembakɨ̂ [100] family a certain Bonjɨ̂mbɔ̂ was impelled by an excessive love to violate the law of exogamy by taking Bolondɔ̂ of Lilekɛ̂ for his wife. As his love did not cool and the marriage proved stable, it was recognized and accepted as legitimate. Since then the two groups in question have each become exogamous.

835 754

2. Between close relatives

Incest between close relatives has no special name of its own. As a matter of fact, it never occurs as an outgrowth of passion. We

584 But if the indicated difference between them were fundamental, this
585 fact would by no means provide a sufficient explanation. On the
178 other hand, if it were only a slight nuance without practical consequences, it would not, it seems to me, adequately explain the existence of the two payments, especially since in the past quite a long time could elapse between them.

174 Therefore we can wonder whether the basis of a greater differ-
583 ence might not be found in the hypothesis of its being a primitive
584 custom.

For instance, the ikulá could have been the payment accompanying a proposal of marriage comparable to our European engagement. Then, when unresolvable palavers developed out of this situation, a system may have been devised which would not prevent disputes from arising but would make possible their resolution according to proper and just legal regulations. This system would have been the payment of a ndanga.

While this is a possible explanation, it is not a very plausible one. Native law appears in all domains so reasonable, cautious, and wise, and so well adapted to circumstances, that it would hardly have left a way open to so great a source of difficulties in so important a matter. Such a possibility can hardly be admitted by any one who is even slightly familiar with the mentality of the Nkundó. Then, too, the modern blending of the ikulá and the ndanga suggests that one of two is duplicating the function of the other. And the consequence of this development would have been the uniting of the two payments into one, with a single purpose, or more probably, in conformity with the general practice, the transferring of the significance of a pledge, theoretically assigned to the ndanga, to the ikulá. [123] The existence of a single engagement payment would have been much more in accordance with the present hypothesis than the practice of making two distinct payments, which are independent and separated in time. We should add here that the acceptance of a responsibility is always and under all circumstances accompanied by the handing over of a ndanga.

We could conceive of a second hypothesis, which seems more in accordance with reality. The ikulá may originally have been an engagement payment, as in the first hypothesis, only the girl may

174 not have accompanied her husband to his home. She would have re-
584 mained with her parents, and her fiancé would probably have had per-
583 mission to visit her and to have sexual relations with her; as we have seen in the preceding chapter, native law does not oppose such relations. Since the mutual desire for cohabitation could not be put off for the period of time -- often long -- required before the bride-price payment itself could be arranged, the girl's parents would have given their child permission to follow her heart's inclinations which -- let us repeat -- could provoke only difficulties of a legal, "civil" nature. And before the fiancé could take his future wife home with him, he had first to reassure the parents and free them from their responsibility by taking it upon himself in an official manner, that is, by giving proof of his willingness to accept all the consequences of his action. In Lonkundo such a pledge is called ndanga. Later on, the time of cohabitation may have been begun earlier, by permitting it from the time of the ikulá. Thus in practice the reason for the existence of the ndanga would have been transferred to the ikulá, and the ndanga would have been retained simply as a payment imposed by custom, until the day when the overthrow of ancient customs made the Nkundó perceive the logical consequences of the facts, resulting in the merging of the two payments into one. This hypothesis is also confirmed by the fact that the very name ikulá is tending to disappear, [124] yielding to the use of the single term ndanga. Finally, to align this hypothesis with the facts pertaining to the term bompáka presented in number 4, we must assume that in the past the fiancée moved to the home of her husband only after the ndanga and consequently became bompáka only at that time.

8. The breaking of an engagement

584

The breaking of an engagement does not involve great legal difficulties. Both the man and the woman are free to break it if they find that they are basically incompatible, or that the prospects for happiness are not good, or for any other reason. There are certain practical stipulations, however.

584 583 177 is based solely on the nature of this state, which is a direct preparation for married life. Therefore, if the union is not completed, the fiancé is enriched at the expense of the parents-in-law.

2) When an engagement is broken, the parents lose the legitimate and normal expectation of a full bride price; they consider this loss lucrum cessans.

584 583 174 177 The natives' justification is not sufficient to explain the origin of the change, however, for:

1) It seems likely that the Nkundó have simply imitated the practice of other peoples of the Congo with whom they have become acquainted since colonization, and that their explanation is but an explanation of convenience.

2) The reasons invoked in favor of the change are not new; they were equally valid in the past, and such as they are and in themselves they are therefore insufficient.

3) If we examine the reason concerning the benefit that the fiancé derives from the [126] woman's work, we find that it is based on a fallacious argument. For Nkundó law recognizes, on the one hand, the legitimacy of this gain and, on the other, the right of each party to break the engagement. Simply the breaking of the engagement cannot, therefore, result in the payment of an indemnity, since one cannot possibly be punished for having made use of a right.

4) The above objection is also applicable to the second reason given by the Nkundó: the possibility of the bride price not being paid is inherent in the essence of the engagement, since both parties are free not to go through with the union.

Thus the reasons given as such must be rejected.

Nevertheless, it is possible that modern circumstances have to some extent modified the nature of the problem. Thus:

1) The introduction of European wage labor and trade has given the Blacks a new idea of wealth. Consequently, the benefits reaped from the engagement have become much greater (through the development of trade and the availability of more varied goods and greater riches), and therefore the economic value of a woman has increased in considerable proportions.

Theoretically, these changes might justify some indemnification. In practice, however, economic development has increased the

583 amount of the engagement payment and thus counterbalances the in-
584 crease of the profit brought by a woman.
174 Indemnification for economic reasons would also have one
177 good result, namely that it would prevent a possible skewing of the system into a form of exploitation which would consist of taking fiancées for a time when they are needed for some special work and sending them back when the work is finished. [127]

But it must be noted that though the precaution may be good in itself, it is not called for under present circumstances, for the Nkundó do not even think of such a corruption of engagement customs.

2. Colonization has considerably reinforced -- or perhaps even introduced -- in native thinking the idea that the favors of a woman deserve a salary. I think that these circumstances have contributed much more to the origin of the new practice than economic changes -- or rather, that the justification for it is primarily based on this idea of venal love. And in that case we have before us a pretium stupri of a sort that could foster prostitution, and which is therefore in opposition to morality and public order.

Just as we must applaud the normal developments of the custom and its adaptation to the possibilities of social and moral elevation that colonization has created, so we must react against its corruption, aberrations, deviations, and a drift toward the exploitation of faults and vices.

Another objection against the innovation may be made on the grounds of its inconsistency within Nkundó law. Since there is no indemnification in the case of divorce, how is it possible to accept it in the case of the breaking of an engagement, which is a much weaker commitment than marriage itself? It is true that a Nkundó engagement is almost a marriage, since it includes cohabitation, etc.; nevertheless, it is not as tight a bond as a permanent union, from which it is clearly distinguished. The new custom leads logically to the conclusion that it is preferable to complete the union and make it definitive by paying the entire bride price and then to break it by means of a real divorce, which does not involve this financial loss.

Finally, although an indemnity based on the increase in the fiancé's profit from the engagement cannot be [128] condemned as

583x unjust in itself, it certainly becomes so if it is considered a penalty
584 inflicted for the rupture. For the indemnity is restricted to the man,
●174 whether or not he is in the wrong. Furthermore, to accept an indemnity
177 even when the engagement is broken because of the woman tends to favor frauds and real swindles on the part of the woman and her parents, in short a kind of traffic in women.

[585] It is also evident that the rich (polygamists) suffer much less from the innovation than do monogamous men, especially those who [794] adopt monogamy as a principle and more especially the Christians, who do not condone divorce. Thus I am of the opinion that the desire to defend polygamy against the doctrine of the missionaries is not entirely unrelated to the transformation of this custom.

000 All these considerations show that the question is highly complex and that it would be better if the ancient custom were restored.

If the breaking of the engagement is due to wrongs, the new custom could perhaps be tolerated, though it is not without serious dangers, but the indemnity should be imposed exclusively on the party at fault. Furthermore, the wrongs would have to be serious, and on the other hand, the indemnity would have to be, not in the nature of a forfeit, but of a payment of damages commensurate with the extent of the damage suffered and the seriousness of the wrong. And here those cases should especially be considered where the breaking of the engagement is accompanied by proceedings of a vexatious and insulting nature. And though it is a very delicate task to evaluate all these elements, we must not forget to take them into account.

It seems to me that the ancient law must still be maintained when the engagement is broken simply because of a change of feelings for which neither party is to blame, if such a case occurs. For it is better not to innovate than to innovate too fast. [129]

Article IV. Walo -- Bombuluku

583x The walo or bombuluku is the bulk of the bride price paid for a marriage. Between the payment of the ndanga and that of the walo,

583 607 The mutuality of the rights of nkɔ̂lɔ́ and nkita is well expressed in the saying, ɔ́mbátɛ́ íkɔ́átɛ́ wɛ́, "possess me so that I may possess you." It is like do ut des.

583 607 182 [611] It is possible to judge from the preceding descriptions that the bride price has a considerable influence on family relations. Although the Nkundɔ́ system is clearly and manifestly patriarchal, the custom of the bride price and its logical consequences give it certain features which make one think of a matriarchy. This situation comes about quite naturally. Since the bride price is wealth it represents power in society. Through marriage this power is transferred from the husband's clan to the wife's, which is enriched in goods and persons by the bride price that has been received. In a sense, the husband is the provider of his wife's clan. And the child can truthfully maintain that his clan was enriched thanks to his father. As a matter of fact, for the Nkundɔ́, this consideration above all others is the basis for their demands of whatever rights they possess in the mother's clan. [170] The relationship between a woman and her nkita and between their respective children is founded solely on the bride-price system of marriage and has nothing to do with matriarchy. (1)

1. But the above considerations may furnish one source of explanation for the origin of that family system.

Consequently, it is unnecessary to erect complicated theories or engage in tortuous speculations in order to explain the creation of this system or to justify it. It is quite simply the outcome of the payment of a bride price in valuables that are of no use except in connection with a similar purpose.

Nevertheless, although the system of the nkita is a natural and logical consequence of marriage by means of a bride price, it is not a necessary consequence. The bride price exists in all the tribes of the Congo, but it does not seem to have resulted everywhere in the institution of the nkita.

583 174 114 607 What has given rise to this institution among the Nkundɔ́? Father Brepoels (loc. cit., p. 339) gives the following explanation:

174 583x 114 607 "The sale (sic) of the woman and her loss of liberty must naturally have aroused her indignation. The man probably had a great deal of difficulty in persuading her to resign herself to it. It was necessary to arrange for some compensation and that is how the system of the nkita originated. That is how the woman acquired rights over her nkita and how nonexistent prerogatives were attributed to her children: they became the superiors, the "fathers" of the mothers' family . . . . The elders, the wealthy, profited from this system, which released them from any concern for their daughters: the girls could be sold while they were still very young and then if, later, they complained of the injustice that had been done them, the elders consoled them by reminding them of their rights and those of their sons over the nkita and her offspring . . . moreover, this system released the elders from their duty of obtaining wives for their sons and removed any reason for the latter to claim their father's wives."

This explanation for the origin of the nkita system is unthinkable, for it is entirely contrary to everything [171] we know about the nature of Nkundó marriage. But it seems plausible that the fact that the old father benefited from this institution helped it to flower and spread. Native greed also may have played a role.

583x 174 607 Nevertheless, we must seek beyond the operation of causes which have contributed to the spread and retention of the system in Nkundó society for those that led to its origin.

Need we invent complicated hypotheses for this purpose? It seems to me that we need not; we can be satisfied with the native explanation: the nkólo's rights over the nkita spring naturally from her dominance over the latter, for the nkita's marriage was made possible by the valuables paid for the nkólo; whereas the rights of the nkólo's sons over the nkita's children are derived from the fact that in the Nkundó hierarchy the relationship of the latter to the former is that of "son" to "father."

The secondary causes mentioned above, together with the necessity of reconciling the interests of the various members of the family, subsequently amplified the system.

583x 607 Exceptionally it may happen that a mother becomes her daughter's nkita. Such was the historic case of Bekombe of Belondó (Bonjoku) and her daughter, Mbéla. The daughter's bride price was

583x 177 It would be good to counteract that much increase in bride prices. For there is a danger that it will condemn to bachelorhood many young men who could otherwise build a home out of the fruits of their own labor. [182]

583x 586x The second meaning of the term "traffic in bride prices" has a more precise application. After a divorce all the valuables must be returned to the husband. Consequently, the new husband must pay at least as much as the first, and in general he even has to add a supplement for the family who, after all, have incurred expenses for the palaver. And so it continues. Thus the more husbands a woman has in succession, the more her bride price increases. It seems to me that this practice is in no way to be condemned. The increase is reasonable. For it not only constitutes some compensation to the woman's family for their troubles but, in addition it may exercise a good influence on the social condition of the people. If it is to have such an influence, divorce must not become a means of satisfying greed (in general, at the present time, it has not yet become such a means), and the increase must not be excessive.

000 In such cases the increase in the bride price can thus have a wholesome effect on the morality and stability of marriages by making men afraid of marrying a divorcée and, as a result, making women more cautious and less flighty. Here everything depends on caution, restraint, and supervision on the part of responsible authorities. [183]

4. The reason for the existence of the bride price

583x 174 This is a question which should not be asked of the natives; they do not know how to answer it. Nor do the facts provide any certainty. All that can be attempted is the construction of a hypothesis which fits the reality.

The following explanatory theories have been put forward: that it is a compensation to the woman's family for the loss of a member (see, for example, Seitz in Africa, Vol. 3, p. 85, and also Torday in Africa, Vol. 2, p. 275, under "Exchange"); that it is a payment for fecundity; and finally, that it is a guarantee of the

stability of the marriage and harmony in the household (see, for example, Torday, loc. cit., pp. 274 ff.).

It is apparent from the description of the payment of the bride price that the Nkundo data tends primarily to support the last of these three theses, though the first is not excluded and perhaps both can be combined in a single explanation.

The bride price includes one portion which is somewhat special, namely the bofongo. Now what is the reason for the existence of this special payment? Although later in the text (Chapter VIII) we will note some relevant facts concerning the refunding of the bride price, which may provide a clearer understanding, we can already indicate here a few explanations that have been put forward. Various colonials have often suggested that the slave is demanded as a replacement for the woman, that the loss sustained by her family with respect to her activities (childbearing, work) (1) had to be

1. See Chapter VI, Article II.

compensated for by handing over a human being who could work for the family and give them children (the children of a slave always remained dependents of their father's master). This explanation is clearly an application of the compensation theory to the case of the bofongo. And with reference to this special portion of the bride price, the rules of Nkundó law favor the hypothesis in question. [184] A man who has not made this last payment loses his rights over one of his daughters, whose bride price enriches the mother's clan by providing the means for procuring another wife. The explanations given by the natives, however, give the impression that this rule is a sort of sanction, though in reality it is not, as we have seen.

5. The essential component of the bride price

As we have seen, the bride price consists of several payments: the likilí and the ndanga, both promissory payments; the wálo, which is the first part of the actual bride price, and the bofongo, which completes the bride price. The belonga, etc., need not be considered.

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If we examine the data on the geographical distribution of this custom in relation to the ethnic nature of the practicing tribes, we are led to assume that it is not of Nkundó origin. The tribes that do not practice it do not approve of it among their neighbors; rather they hold them in contempt because of it, since for them a purchased woman is a slave. Thus they make fun of them saying, "They sell their women like slaves or goats." Could this be evidence that the Ntómbá-Bolíngó are not pure Nkundó, or that they have been subjected to foreign influences? Would the same be true of the riverain tribes who practice the purchase of women?

Article VIII. General Conclusions

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Having analyzed in detail the various forms of marriage and pseudo-marital unions among the Nkundó, we must now make a synthesis.

Certain kinds of unions are considered legitimate marriages by the Nkundó although they differ to some degree from the standard marriage because they are adapted to special circumstances. Among these are a widow's marriage with the heir of the deceased and a marriage by replacement after a divorce. As for ourselves, we can go along with native opinion, for when these unions are concluded in the normal fashion they involve nothing which is contrary to our conception of a valid marriage. (1)

> 1. This is true of a replacement after divorce only when the dissolution of the previous marriage is legitimate and valid in every respect.

Other types of union, on the other hand, are not considered by the Nkundó [215] to correspond, or only very imperfectly, to their idea of a regular marriage. The union of a widow with a distant relative of the deceased is only a sort of legitimate concubinage. The offer of a wife as security, the exchange or purchase of women, are considered as absolutely inferior forms of union. Therefore it is better to designate these by the term "pseudo-marital unions." For although they are accepted as legitimate by the tribes among

There is no sanction against the infraction of the law of exogamy. There is only the opposition of the parents and patriarchs, and a quasi-innate habit.

Note also that members of certain clans frequently marry members of certain others, among whom they prefer to choose their wives. Therefore a good proportion of the women married into any given family will belong to one particular clan. The Wafé (Bakfale), for instance take a great many of their wives from among the Bongale w-Ekolé.

We may reasonably assume that the ancestors of related groups, who now marry among themselves, formerly practiced exogamy. If this assumption is correct, it must be admitted that with the progressive growth of families, this rule has been relaxed in certain respects so that the present situation has resulted. Consequently, it would not be surprising if these legal provisions became even less rigorous in the future. Actually, some young people have begun to violate the rules of exogamy and their example has freed the whole family. (2) Thus the Bokótola maintain that their two groupings,

2. See Chapter I, Article VII, 1.

Bompola and Ilómbé, who now intermarry, formerly comprised a [251] single exogamous entity. Contemporary instances appear here and there, but they remain very rare, even between persons who are very distantly related, and much rarer between close kin. (1) For the

1. A recent case was that of Elima and Bolélé, who both belonged to the exogamous group of Bokenyola of the Bonjoku, but one belonged to the Bosélá Bokóyó family and the other to the Bosélá Njoli.

Nkundó still feel very strongly about this law. The bulk of the people are entirely opposed to any laxity or violations and the patriarchs and notables act against them with all their power. But the strength of